

# Workers' Compensation Advisory Committee (WCAC)

Meeting Minutes

June 23, 2004

## Introductions:

### Present:

#### Committee Members:

Business Representatives: Amber Balch Carter, Association of Washington Business; Dan Fazio on behalf of Jon Warling

Labor Representatives: Owen Linch, Joint Council of Teamsters No. 28; Dave Johnson, Washington Building & Construction Trades Council; Robby Stern, Washington State Labor Council, AFL-CIO

Self-Insured Employers' Representative: Lori Carlson, Sellen Construction Company, Inc.

Self-Insured Workers' Representative: Ellie Menzies, Service Employees State Council

Chair: Bob Malooly

Recorder: Laurie Jenkins

Absent Committee Members: Mike Sotelo, Jon Warling and Tom Egan

Presenters: Bob Malooly, Jamie Lifka and Dave Overby. Tom Egan's staff provided handouts.

Guests: Mark Johnson, Dan Fazio, Nancy Dicus, Dave Kaplan, Tom Kwieciak, Amy Brackenbury, Sara Crumb, Michael Temple, Tammie Hetrick, Jennifer Strus, Jan Gee, Dan Fazio, Jill Reinmuth, Janice Camp, Nickie Kennedy, Kim Hoff, Chris Cordes, Clif Finch, Kim McIsaac, Art Dallesandro

L&I Staff: Frank Romero, Jamie Lifka, Sandy Dziedzic, Mark Mercier, Heather Grob, R.T. Nelson, Chuck Hitchings, Bill Vasek, Nicole Runnels, Tom Hess, Joel Sacks, Hal Stockbridge, Suzanne Mager, Grace Wang, Jean Vanek

**Introductions** – Bob Malooly introduced Jean Vanek, Program Manager for Self Insurance, to the Committee members and announced that Mike Sotelo, Jon Warling and Tom Egan were unable to join the meeting today.

**Review/Approval of April 5, 2003 Meeting Minutes** – Minutes were approved as presented.

### Emergency Rule on ARNPs and PA – Jamie Lifka

Jamie distributed a copy of Provider Bulletin (PB 04-09), dated June 2004, which featured the expansion of function for ARNPs and Sole Signature on Initial Report for PAs. The ARNP and PA rules will become effective July 1, 2004. In summary, the emergency rule changes include the following:

- ARNPs can now perform the functions of the attending physician, except rate permanent impairment, and

- PAs can have sole signature on the report of accident or physician's initial report for simple industrial injury claims.

She informed the committee that the ARNP rule expires June 30, 2007; the PA rule expires July 1, 2007. The Department will report back to the legislature by December 1, 2006 on the implementation of these acts as well discuss the effects on injured worker outcomes, claim costs and disputed claims. The Department will adopt permanent rules in the near future, which will allow a process for public comment on the these new rules.

### **IME Improvement Project Update – Dave Overby**

Dave informed the committee that Independent Medical Examination (“IME”) Quality Assurance Pilot Project, which will run from May 2004 through June 2005, encompasses three strategies:

- Developing and testing an IME Quality Assurance audit tool and specialty-matched review process,
- Providing feedback to examiner on their reports,
- Using aggregate data from the reviews to improve L&I's IME program.

He invited everyone to visit the new Internet site at [www.imes.lni.wa.gov](http://www.imes.lni.wa.gov).

*Business asked for an explanation of how the research company was selected.*

Dave stated that the agency had received 33 responses and had chosen Expert Clinical Benchmarks, Inc. through a competitive bid process.

*Business said they would like to see the criteria of how the report will be improved, and asked for Dave to provide it at a future meeting.*

Dave responded that he would provide the criteria as soon as it is available. One of the chief complaints in the past has been inconsistency in responses, so he expects emphasis to be placed on consistency in the future.

Dave stated that July goals include revising the Medical Examiners' handbook, new IME fees, and tracking IME scheduling and report turnaround times. He expects the Initial Report-Audit Tool and early quality findings by September 2004. Feedback to examiners on report quality is expected to take place between September 2004 and January 2005. The final project evaluation is expected in June 2005.

*Labor asked if the draft responses could be viewed?*

Bob Malooly responded yes.

### **100 Top Employers – Bob Malooly**

Bob explained that claims for the largest State Fund employers are currently managed in one work group. The primary goals for this business decision included: providing employers one point of contact for their multiple claims, ensuring consistency, accelerating validity decisions, increasing return-to-work and light duty opportunities, and improving customer satisfaction and service. Roughly 100 employers were selected from employers who have paid the greatest dollar amount of premiums over the past year. State agencies were not included. The caseloads consist of priority injury, occupational disease and medical-only claims. Specialty claims are not

included. The unit consists of four teams with three claims managers each. The teams are organized along geographic lines.

Bob reported that so far, satisfaction is high. The agency is currently looking at the efficiencies and will expand as appropriate and if economically feasible.

*Business stated that agriculture supports this process change and sees benefits to medium-sized businesses. Good working relationships are expected. Thank you!*

*Business asked what would happen if one of the top 100 should fall below the threshold?*

Bob stated that any company falling below the threshold would not have to worry about being excluded from this claim unit.

*Business asked if the agency would consider allowing groups of companies or associations to participate in the Top 100 Employers' group? Also, would we publish a timeline for expansion?*

Bob reiterated that the agency would expand if economically feasible. Claims managers have expressed considerable enthusiasm to expand, so efficiencies are being reviewed.

*Labor stated that focusing special attention on this group was not a problem, but would like to see this initiative more closely tied to safety and health issues, specifically fewer injured workers. Is there a process in place to assess the data collection? If so, can the committee view it? Labor asked to be kept informed periodically on this project's progress.*

Paul stated that this project already has increased both employer and worker satisfaction, and he expects that in time it will increase the ability to return injured workers faster as well as improve overall safety records.

*Labor stated that it would have been helpful if WCAC members had been informed prior to setting up the Top 100 Employers Unit.*

Paul stated that the agency had not expected this unit change to generate so much enthusiasm and conversation. He agreed that in hindsight, it would have been beneficial to communicate our plans to the committee prior to initiating the start-up and apologized for not anticipating the excitement the unit caused.

*Business asked how the geographic lines were addressed?*

Sandy Dziedzic explained that companies were assigned based on the location of their headquarters.

Bob informed the committee that Amber had submitted several questions that will be addressed at a future meeting.

*Labor asked for a presentation of the 2004 Oregon Rate Study at a future meeting. It would be ideal if the person who conducted the study could present their findings.*

*Business requested a discussion of cross-state comparisons.*

At this time the regular meeting adjourned and the special discussion began concerning the Medical Aid Fund.